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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,919	12/07/2001	Kevin J. Urlaub	10017269-1	5334

7590 02/27/2004  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

PRONE, JASON D

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 02/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

28

<b>Office Action Summary</b>	<b>Application No.</b> 10/007,919	<b>Applicant(s)</b> URLAUB ET AL.	
	<b>Examiner</b> Jason Prone	<b>Art Unit</b> 3724	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.  
 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 and 21-37 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-12 and 21-37 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The indicated allowability of claims 1-12 and 28-37 is withdrawn in view of the newly discovered reference(s) to Taylor. Rejections based on the newly cited reference(s) follow.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 5-8, 11, 12, 21, and 26-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Taylor.

Taylor discloses the same invention including a tear-off edge (44), a grasper adapted to grasp the work piece (38), a conveyor adapted to move the grasper along a first axis to move the work piece against the tear-off edge to sever the work piece (28), a controller adapted to transmit a first signal for instructing the conveyor to move the grasper (Column 4 lines 33-40) and a second signal for instructing the grasper to grasp the work piece (Column 3 lines 33-40), that the grasper comprises first and second jaws adapted to grasp the work piece in-between (38 and 30), an actuator adapted to move the first jaw (38) into engagement with the work piece for grasping the work piece between the first and second jaws and to move the first jaw out of engagement with the

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work piece for releasing the work piece (Column 3 lines 33-40), that the tear-off edge constitutes a part of a printer (22), that the first jaw is actuatable along a second axis that forms an angle with the first axis (38), that the controller receives a signal that instructs the controller to transmit the first and second signal (Figs. 6 and 7), that the conveyor comprises at least one rail (28a) and a carriage (24), that the actuator is attached to the conveyor so that the slide of (38) the actuator is oriented at an angle with respect to the conveyor (Fig. 8), that the tear off edge extends along a second/third axis oblique to the first axis (Fig. 6), a printer configured to print on a work piece (22), that the grasper includes a first surface and a second opposite surface that engage opposite sides of the work piece (Fig. 4), and that the first surface is movable (38) relative to the second surface (30).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 4, 9, 10, 22, and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of Blessing et al. Taylor discloses the invention but fails to disclose that the first jaw comprises a pad, that the controller comprises a programmable logic device, and an electromagnetic valve that receives the first/second signal from the controller and passes a flow of fluid to the conveyor/grasper upon receiving the first/second signal. Blessing teaches a first jaw that comprises a pad (Fig.

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3), a controller comprising a programmable logic device (Fig. 7), an electromechanical valve that receives a first/second signal and passes a flow of fluid to the conveyor/grasper (80). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided Taylor with a pad, a programmable logic device, and an electromechanical valve, as taught by Blessing et al., to allow for more efficient clamping means.

6. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor in view of Blessing et al. further in view of Miller. Taylor discloses the invention but fails to disclose an electromechanical valve that is electrically/fluidly connected to the controller and fluidly/electrically connected to the conveyor. Blessing et al teaches an electromechanical valve (80) fluidly connected to the conveyor and to the actuator (Column 5 lines 21-42). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided Taylor with electromechanical valve, as taught by Blessing et al., to allow for more efficient clamping means.

Miller teaches an electromechanical valve with electrical connections (Column 1 lines 55-66). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to have provided Taylor in view of Blessing et al. with electrical connections for the electromechanical valve, as taught by Miller, to allow for an alternate operating means.

### ***Conclusion***

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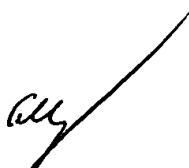
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Prone whose telephone number is 703-605-4287. The examiner can normally be reached on 7:30-5:00, Mon - (every other) Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 703-308-1082. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JP  
February 19, 2004



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